

AMENDED IN SENATE AUGUST 20, 2014

AMENDED IN SENATE JUNE 4, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2324

Introduced by Assembly Member Williams

February 21, 2014

An act to amend Section 66602 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2324, as amended, Williams. Trustees of the California State University: faculty member of the board.

Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University. Existing law provides for the membership of the Trustees of the California State University to include 5 specified ex officio members, 16 appointive members appointed by the Governor and subject to confirmation by the Senate, one representative of the alumni associations, 2 student members appointed by the Governor, and a faculty member appointed by the Governor. Existing law establishes that the 2-year term of office of a faculty member commences July 1, and expires on June 30, 2 years thereafter.

This bill would allow a faculty member to remain on the board after his or her 2-year term expires, if the Governor has not appointed a successor, for one additional year, or until a successor is appointed by the Governor, whichever occurs first.

This bill would incorporate additional changes in Section 66602 of the Education Code, proposed by AB 2721, to be operative only if AB

2721 and this bill are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66602 of the Education Code is amended
2 to read:

3 66602. (a) The board shall be composed of the following five
4 ex officio members: the Governor, the Lieutenant Governor, the
5 Superintendent of Public Instruction, the Speaker of the Assembly,
6 and the person named by the trustees to serve as the Chancellor
7 of the California State University; a representative of the alumni
8 associations of the state university, selected for a two-year term
9 by the alumni council, California State University, which
10 representative shall not be an employee of the California State
11 University during the two-year term; and 16 appointive members
12 appointed by the Governor and subject to confirmation by
13 two-thirds of the membership of the Senate.

14 (b) (1) Two students from the California State University, who
15 shall have at least sophomore year standing at the institutions they
16 attend, and who remain in good standing as students during their
17 respective terms, shall also be appointed by the Governor to serve
18 on the board for two-year terms.

19 (2) In the selection of students as members of the board, the
20 Governor shall appoint the students from lists of names of at least
21 two, but not more than five, persons furnished by the governing
22 board of any statewide student organization that represents the
23 students of the California State University and the student body
24 organizations of the campuses of the California State University.
25 Any appointment to fill a vacancy of a student member shall be
26 effective only for the remainder of the term of the student member's
27 office that became vacated.

28 (3) The term of office of one student member of the board shall
29 commence on July 1 of an even-numbered year and expire on June
30 30 two years thereafter. The term of office of the other student
31 member of the board shall commence on July 1 of an
32 odd-numbered year and expire on June 30 two years thereafter.
33 Notwithstanding paragraph (1), a student member who graduates

1 from his or her college or university on or after January 1 of the
2 second year of his or her term of office may serve the remainder
3 of the term.

4 (4) (A) During the first year of a student member's term, a
5 student member shall be a member of the board and may attend
6 all meetings of the board and its committees. At these meetings,
7 a student member may fully participate in discussion and debate,
8 but may not vote. During the second year of a student member's
9 term, a student member may exercise the same right to attend
10 meetings of the board, and its committees, and shall have the same
11 right to vote as the members appointed pursuant to subdivision
12 (a).

13 (B) Notwithstanding subparagraph (A), during the first year of
14 a student member's term, the student member may vote at a board
15 meeting if the other student member is absent from that meeting
16 due to illness, a family emergency, or a medical emergency.

17 (5) Notwithstanding paragraph (4), if a student member resigns
18 from office or a vacancy is otherwise created in that office during
19 the second year of a student member's term, the remaining student
20 member shall immediately assume the office created by the vacancy
21 and all of the participation privileges of the second-year student
22 member, including the right to vote, for the remainder of that term
23 of office.

24 (6) A student member shall have his or her tuition fee waived
25 for the duration of his or her term of office.

26 (c) (1) A faculty member from the California State University,
27 who shall be tenured at the California State University campus at
28 which he or she teaches, shall also be appointed by the Governor
29 to serve on the board for a two-year term. In the selection of a
30 faculty member as a member of the board, the Governor shall
31 appoint the faculty member from a list of names of at least two
32 persons furnished by the Academic Senate of the California State
33 University.

34 (2) The faculty member of the board appointed by the Governor
35 pursuant to this subdivision shall not participate on any
36 subcommittee of the board responsible for collective bargaining
37 negotiations.

38 (3) The two-year term of office of the faculty member of the
39 board shall commence on July 1, and, if the Governor has not
40 appointed a successor under paragraph (1), the faculty member

1 may remain in office after the term expires for one additional year,
2 or until a successor is appointed by the Governor, whichever occurs
3 first.

4 *SEC. 1.5. Section 66602 of the Education Code is amended to*
5 *read:*

6 66602. (a) The board shall be composed of the following five
7 ex officio members: the Governor, the Lieutenant Governor, the
8 Superintendent of Public Instruction, the Speaker of the Assembly,
9 and the person named by the trustees to serve as the Chancellor
10 of the California State University; a representative of the alumni
11 associations of the state university, selected for a two-year term
12 by the alumni council, California State University, which
13 representative shall not be an employee of the California State
14 University during the two-year term; and 16 appointive members
15 appointed by the Governor and subject to confirmation by
16 two-thirds of the membership of the Senate.

17 (b) (1) Two students from the California State University, who
18 shall have at least sophomore year standing at the institutions they
19 attend, and who remain in good standing as students during their
20 respective terms, shall also be appointed by the Governor to serve
21 on the board for two-year terms.

22 (2) In the selection of students as members of the board, the
23 Governor shall appoint the students from lists of names of at least
24 two, but not more than five, persons furnished by the governing
25 board of any statewide student organization that represents the
26 students of the California State University and the student body
27 organizations of the campuses of the California State University.
28 Any appointment to fill a vacancy of a student member shall be
29 effective only for the remainder of the term of the student member's
30 office that became vacated.

31 (3) The term of office of one student member of the board shall
32 commence on July 1 of an even-numbered year and expire on June
33 30 two years thereafter. The term of office of the other student
34 member of the board shall commence on July 1 of an
35 odd-numbered year and expire on June 30 two years thereafter.
36 Notwithstanding paragraph (1), a student member who graduates
37 from his or her college or university on or after January 1 of the
38 second year of his or her term of office may serve the remainder
39 of the term.

1 (4) (A) During the first year of a student member's term, a
2 student member shall be a member of the board and may attend
3 all meetings of the board and its committees. At these meetings,
4 a student member may fully participate in discussion and debate,
5 but may not vote. During the second year of a student member's
6 term, a student member may exercise the same right to attend
7 meetings of the board, and its committees, and shall have the same
8 right to vote as the members appointed pursuant to subdivision
9 (a).

10 (B) Notwithstanding subparagraph (A), during the first year of
11 a student member's term, the student member may vote at a board
12 meeting if the other student member is absent from that meeting
13 due to illness, a family emergency, or a medical emergency.

14 (5) Notwithstanding paragraph (4), if a student member resigns
15 from office or a vacancy is otherwise created in that office during
16 the second year of a student member's term, the remaining student
17 member shall immediately assume the office created by the vacancy
18 and all of the participation privileges of the second-year student
19 member, including the right to vote, for the remainder of that term
20 of office.

21 (6) A student member shall have his or her tuition fee waived
22 for the duration of his or her term of office.

23 (c) (1) A faculty member from the California State University,
24 who shall be tenured at the California State University campus at
25 which he or she teaches, shall also be appointed by the Governor
26 to serve on the board for a two-year term. In the selection of a
27 faculty member as a member of the board, the Governor shall
28 appoint the faculty member from a list of names of at least two
29 persons furnished by the Academic Senate of the California State
30 University.

31 (2) The faculty member of the board appointed by the Governor
32 pursuant to this subdivision shall not participate on any
33 subcommittee of the board responsible for collective bargaining
34 negotiations.

35 (3) The *two-year* term of office of the faculty member of the
36 board shall commence on July 1, ~~and shall expire on June 30 two~~
37 ~~years thereafter. and, if the Governor has not appointed a successor~~
38 ~~under paragraph (1), the faculty member may remain in office~~
39 ~~after the term expires for one additional year, or until a successor~~
40 ~~is appointed by the Governor, whichever occurs first.~~

1 (d) (1) (A) *A permanent nonfaculty employee, who is not in a*
2 *management personnel plan, a confidential classification, or an*
3 *excluded classification, also shall be appointed by the Governor*
4 *to serve on the board for a two-year term. An independent*
5 *systemwide staff council formed for this purpose shall provide a*
6 *list of two nominees for the Governor's consideration and the*
7 *Governor shall appoint one of these nominees.*

8 (B) *The employee organizations of permanent nonfaculty*
9 *employees of the California State University shall fund the council*
10 *to be established pursuant to this paragraph.*

11 (2) *The permanent nonfaculty employee member of the board*
12 *appointed pursuant to this subdivision shall not participate on any*
13 *subcommittee of the board responsible for collective bargaining*
14 *negotiations.*

15 (3) *The term of office of the permanent nonfaculty employee*
16 *member of the board appointed pursuant to this subdivision shall*
17 *commence on July 1 and shall expire on June 30 two years*
18 *thereafter.*

19 (4) *The permanent nonfaculty employee member of the board*
20 *shall receive compensation for board service only as authorized*
21 *pursuant to Section 66604.5.*

22 SEC. 2. *Section 1.5 of this bill incorporates amendments to*
23 *Section 66602 of the Education Code proposed by both this bill*
24 *and Assembly Bill 2721. It shall only become operative if (1) both*
25 *bills are enacted and become effective on or before January 1,*
26 *2015, (2) each bill amends Section 66602 of the Education Code,*
27 *and (3) this bill is enacted after Assembly Bill 2721, in which case*
28 *Section 1 of this bill shall not become operative.*